

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

**TWO HUNDRED THIRTY ONE
THOUSAND NINE HUNDRED
THIRTY DOLLARS (\$231,930.00)
IN UNITED STATES CURRENCY**

Defendant.

BARTOSZ MAREK KUPCZYK,

Claimant.

Case No. 8:08CV235

NOTICE OF APPEAL

Pursuant to 28 U.S.C. §1291 and Fed. R. App. P. 4(a)(1)(B), Claimant BARTOSZ MAREK KUPCZYK hereby appeals to the United States Court of Appeals for the Eighth Circuit from the 27 February 2009 Memorandum and Order (Dkt. No. 34) by Magistrate Judge David L. Piester, denying Claimant's Motion to suppress, and the 19 May 2009 Order by the District Court denying Claimant's appeal of the Magistrate's Memorandum and Order (Dkt. No. 42), which appeal will affect the Final Order of Forfeiture (Dkt. No. 55) issued by the District Court on 20 August 2009 ordering Defendant property be forfeited to the United States of America.

Respectfully submitted,

Dated: 25 August 2009

s/DAVID M. MICHAEL
DAVID M. MICHAEL
California State Bar No. 74031
Law Offices of David M. Michael
101 California Street, Suite 2450
San Francisco, CA 94111
Telephone: (415) 946-8996
Facsimile: (877) 538-6220
dmmp5@aol.com

Attorney for Claimant
BARTOSZ MAREK KUPCZYK

CERTIFICATE OF SERVICE

I hereby certify that, on 25 August 2009, I caused to be electronically filed the foregoing with the clerk of the court by using the CM/ECF system, which will send a notice of electronic filing to the following:

AUSA Nancy A. Svoboda
Office of the District Attorney
District of Nebraska
1620 Dodge Street, Suite 1400
Omaha, Nebraska 68102-1506
Nancy.Svoboda@usdoj.gov

Dated: 21 August 2009

s/DAVID M. MICHAEL
DAVID M. MICHAEL
California State Bar No. 74031
Law Offices of David M. Michael

Attorney for Claimant
BARTOSZ MAREK KUPCZYK